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3:01-CV-02031 SAFETY SYRINGES INC V. BECTON DICKINSON

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CLEPH U.S. DISTRICT COURT
OF CALIFORNIA

DEPUTY

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

SAFETY SYRINGES, INC.,

Plaintiff.

VS.

BECTON, DICKINSON AND COMPANY,

Defendant.

CASE NO. 01-CV-2031-J (NLS)

ORDER GRANTING LEAVE TO FILE CONSOLIDATED SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

This matter comes before the Court on Plaintiff's Consolidated Second Amended Complaint for Patent Infringement. By stipulation and order filed February 20, 2002, this Court consolidated this action with *Safety Syringes, Inc. V. Becton, Dickinson and Company*, Case No. 02-CV-0229-J (NLS). The parties, however, did not stipulate to the filing of a consolidated complaint.

However, given the consolidation of the two cases, which arise from similar facts but involve different patents, this Court finds it appropriate to proceed upon a consolidated complaint. The parties should therefore proceed upon the Consolidated Second Amended

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Complaint in accordance with the Federal Rules of Civil Procedure and the Civil Local Rules of the Southern District of California.

IT IS SO ORDERED.

DATED: Opril 5 2002

NAPOLEON A. JONES, JR. United States District Judge

cc: All Parties